

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Altman, Peter A. Attorney Docket No.: 2006-2984.DIV

Serial No.: 10/014,445 Art Unit: 3739

Filing Date: December 11, 2001 Examiner: Lee S. Cohen

For: **IMPLANTABLE DEVICE FOR PENETRATING AND
DELIVERING AGENTS TO CARDIAC TISSUE**

REPLY TO FINAL ACTION

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

In reply to the Final Action dated January 17, 2007, enclosed herewith is a Supplemental Declaration, signed by Peter A. Altman as the applicant.

REMARKS

Claims 27-31, 33-44, 46-75, 78, 79, 81-83, and 85-94 have been rejected under 35 U.S.C. §251 as allegedly based upon a defective reissue oath or declaration.

The accompanying Supplemental Declaration refers to the November 2005 Amendment, the most recent amendment of the present application. Accordingly, the declaration covers those errors which have been corrected in the present reissue application and not covered by any prior oath or declaration. The declaration refers to the duty to disclose information "material to patentability." It is submitted that the aforementioned claims now fully comply with 35 U.S.C. §251.